

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
JUAN CESPEDES-PENA, and :
HAROL LA PAZ PENA, :
:
Defendants. :
- - - - - X

INDICTMENT

14 Cr. CRIM 520

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: AUG 05 2014

COUNT ONE

The Grand Jury charges:

1. From at least in or about May 2014, up to and including in or about June 2014, in the Southern District of New York and elsewhere, JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, and others known and unknown, would and did import into the United States and into the customs territory of the United States from a place outside thereof a controlled substance, in violation of Title 21, United States Code, Sections 952 and 960(a)(1).

3. The controlled substance that JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, conspired to import into the United States from a place outside thereof was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 960(b)(1)(B).

(Title 21, United States Code, Section 963.)

COUNT TWO

The Grand Jury further charges:

4. From at least in or about May 2014, up to and including in or about June 2014, in the Southern District of New York and elsewhere, JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substance that JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, conspired to distribute and possess with the intent to distribute was five kilograms and

more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b) (1) (A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATIONS

7. As a result of committing the controlled substance offenses charged in Counts One and Two of this Indictment, JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses charged in Counts One and Two of this Indictment.

Substitute Assets Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of JUAN CESPEDES-PENA and HAROL LA PAZ PENA, the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of

the Court;

d. has been substantially diminished in value;

or

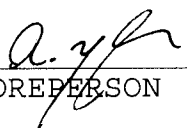
e. has been commingled with other property

which cannot be subdivided without

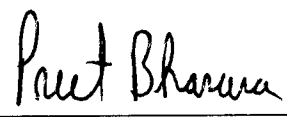
difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)



FOREPERSON



PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JUAN CESPEDES-PENA, and
HAROL LA PAZ PENA,

Defendants.

INDICTMENT

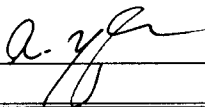
14 Cr.

(21 U.S.C. §§ 846, 963.)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

8/5/14 Filed Indictment

Judge Nathan

